

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

- My residence, post office address and citizenship are as stated below next to my name.
- I believe I am an original, first and joint Inventor of the subject matter which is claimed and for which a patent is sought on the Invention entitled "Preventive and Therapeutic Agent for Chronic Obstructive Pulmonary Disease", the specification of which

☐ is attached hereto

☒ was filed on February 9, 2005 as

☐ United States Application Number

☒ PCT International Application Number PCT/JP2005/002388

☐ was amended on

- I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims and the drawing, as amended by any amendment specifically referred to herein.
- I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR §1.56. If this application claims priority from a prior application, I acknowledge the duty to disclose information which is material to patentability, as defined 37 CFR §1.56, which became available between the filing date of the prior application and the date of this application.
- As to the subject matter of this application:
  - a. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof;
  - b. I do not know and do not believe that the same was ever patented or described in any printed publication in any country before my invention thereof, or more than one year prior to the date of this application;
  - c. I do not know and do not believe that the same was in public use or on sale in the United States of America more than one year prior to the date of this application;  
and
  - d. Said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to the date of this application.

[ X ] I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventors certificate, or §365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent or inventors certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
Tokugan 2004-346572	Japan	February 13, 2004	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Please associate this application with USPTO Customer Number 020808**

- Address all telephone calls to Lynda M. Wood at telephone number 607-256-2000.
- Fax communications should be sent to telephone number 607-256-3628.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file"

- E-mail communications should be addressed to: [docket@bpmlegal.com](mailto:docket@bpmlegal.com).
- Address all correspondence to USPTO Customer Number 020808.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Hajime Nakamura

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Date